

R E M A R K S

Applicant wishes to extend thanks to the Examiner in gratitude for the courtesy extended to the Applicant of a personal interview on January 29, 2003. During the interview, the subject matter of the present invention was discussed and the Examiner offered several helpful suggestions as how best to proceed to advance the present prosecution.

In the present Office Action, claims 120-144 were examined. Claims 122-130 and 134-144 were withdrawn from consideration. Claims 120-121 were rejected. Claims 131-133 were objected to. Claim 120 has been amended herein in accordance with the Examiner's suggestions. Claims 120-121 and 131-133 are now believed to be in condition for allowance.

Claim Rejections under 35 U.S.C. 102

The Examiner rejected claims 120-121 as being anticipated by either Japanese Reference '434 or Scofield (US 3,733,696). The Examiner noted that both the Japanese and Scofield disclose a profiled section including a base section and a surface coating wherein the surface coating include recesses for receiving joining profiled section. In addition, the Examiner noted that the "joining profiled section" as recited in claim 120 may be read broadly to read upon profiled sections used for joining. As such, the Examiner noted that fasteners 24 and 27 of Scofield and the Japanese reference are inherently profiled sections used for joining, and therefore read upon claim 120.

Claim 120 as herein amended now includes a Markush group to more clearly define the meaning of the term "joining profiled section". Specifically, the phrase "joining profiled section" has been further defined to include a profiled section limb, an extruded section with a plurality of recesses, and a grooved wedge. Neither the Japanese reference nor Scofield teach or suggest any of these limitations. As a result, Applicant traverses the Examiner's rejection with respect to claim 120. Claim 120 is therefore believed to be in condition for allowance.

As claim 121 is dependent upon claim 120, claim 120 now believed to be in condition for allowance, claim 121 is likewise believed to be in condition for allowance.

Claim Objections

The Examiner objected to claims 131-133 as being dependent upon a rejected base claim, claim 120, but noted that they would be allowable if rewritten in independent form including all of the limitations of claim 120 and any intervening claims. For the reasons noted above, claim 120 is now believed to be in condition for allowance. As a result, claims 131-133 are likewise believed to be in condition for allowance.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would

be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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By

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231

February 3, 2003

on

(Print or Type Name)

Antoinette Sullo

(Print or Type Name and Reg. No. of Attorney)

Antoinette Sullo

Signature

2-3-03

Date of Signature

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 120 has been amended as follows:

120. (Twice Amended) A composite profiled section comprising a basic profiled section made from a material with a good electrical conductivity and at least one surface coating which is joined to the basic profiled section and is made from a material with a higher resistance to abrasion, in particular a metal wearable strip, wherein the wearable strip, on at least one of its longitudinal edges, has recesses, which are at least partially filled by a joining profiled section selected from the group consisting of a profiled section limb, an extruded section with a plurality of recesses, and a grooved wedge and are thus joined to the basic profiled section in a nonpositively and/or positively locking manner.